



Agenda Item Number: 2005-1-6G

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: January 11, 2005

Department: Technical Services

Staff Contact: Tim West, Deputy County Manager for Public Works
Roger A. Paul, Technical Services Director

TITLE: Lyon Boulevard Storm Drain Extension Project

ACTION: Motion to:

1. Approve the Cooperative Funding, Construction, and Maintenance Agreement for the Lyon Boulevard Storm Drain Extension Project.
2. Authorize the County Manager to execute the Agreement among Bernalillo County, the Albuquerque Metropolitan Arroyo Flood Control Authority, the City of Albuquerque, the Board of Education of the City of Albuquerque, Geltmore Land Co., Ltd., R. J. Schaefer Realty & Investments, Inc., Sharif A. (aka "Felix") Rabadi, Builders Investment Company of New Mexico, LTD. Co. and Clearbrook Investments, Inc.

SUMMARY:

The Lyon Boulevard NW Storm Drain Extension Project will include the construction of the extension of the 72" storm drain to divert developed flow from the Piedras Marcadas Dam to the Calabacillas Arroyo. The storm drain extension will be constructed within County and City rights-of-way on Lyon Boulevard NW, between Paradise Boulevard and Irving Boulevard.

The Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) will be responsible for the design and construction of the facility. The plans will be submitted to the County and the City for review and approval of the portions of the project within their respective rights-of-way. The City's rights-of-way include the intersections of Paradise and Lyon Boulevards and Irving and Lyon Boulevards. The County's rights-of-way include the length of Lyon Boulevard between Paradise and Irving Boulevards. AMAFCA will be responsible for bidding and project construction. At the finalization of the project, AMAFCA will provide the County and the City with the as-built drawings. This agreement also includes the acceptance by AMAFCA of a lump sum contribution of \$285,000 from the developers.

The County will agree to reviewing the plans submitted by AMAFCA in a timely manner, accept the portion of the project within the County rights-of-way for continuous maintenance upon satisfactory completion of the construction, and accept the construction of the project and the Chamisa Storm Drain and Detention Pond System as satisfying the County's drainage requirements from the developers, who are parties to this agreement, with respect to Paradise Boulevard drainage improvements.

ATTACHMENTS:

1. Location Map
2. One (1) Original Agreement

FISCAL IMPACT

The maintenance costs associated with the improvement will be born by the Operations and Maintenance Department as part of their annual operating budget.

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

Drainage problems have been existing in this area for many years. With increased development, solving the drainage problems became important to allow for home construction. This public/private agreement will bind all parties to making and maintaining these improvements. I recommend Board approval. TL 1/4/05

DIVISION DIRECTOR

The drainage infrastructure, when constructed, will bring future benefit to the County via the Storm water conveyance means from which run-off from Lyons when reconstructed will drain. The conveyance infrastructure from this AMAFCA project will reduce the cost of the future Lyons Boulevard reconstruction project in that the major cost of the drainage system will have been borne by the developers and AMAFCA. I recommend approval. TW 12/29/04

LEGAL

Agreement for funding and maintenance and to authorize manager to execute agreement. Deborah S. Seligman, Legal 12/28/04

FINANCE

Budget	There will be no immediate fiscal impact upon acceptance of the Lyon Boulevard Storm Drain Extension Project agreement. The Public Works Division will be responsible for funding the maintenance costs as part of their annual operating budget. Nona Lane, Accounting Officer 12/21/04
Purchasing	No comment necessary. B .Henderson Senior Buyer 12/17/04
Contracts	A CCN number will be issued upon execution of the agreement B. Henderson, Senior Buyer 12/17/04
Risk Management	Each party shall be solely responsible for any and all liability arising from personal injury including death(s) or damage to property arising from an act or failure to act of the respective Party, its officials, agents, contractors and employees pursuant to this Agreement. Liabilities of each Party shall be subject to the immunities and limitations of the New Mexico Tort Claims Act. David A. Baca, Risk Management 12/17/04